

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

WAHLUKE PRODUCE, INC.,

Plaintiff,

v.

WALLA WALLA GARDNERS'
ASSOCIATION, INC., et al.,

Defendants.

NO: 12-CV-0493-TOR

ORDER GRANTING VOLUNTARY
DISMISSAL WITH PREJUDICE

BEFORE THE COURT is Plaintiff's Notice of Dismissal (ECF No. 13).

Plaintiff filed a notice of voluntary dismissal with prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i) on September 4, 2012. Because Defendants have neither filed an answer nor moved for summary judgment, Plaintiff has an absolute right to voluntarily dismiss this case. Fed. R. Civ. P. 41(a)(1)(A)(i).

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1 **ACCORDINGLY, IT IS HEREBY ORDERED:**

2 All claims and causes of action in this matter are **DISMISSED** with
3 prejudice and without costs or fees to any party.

4 The District Court Executive is hereby directed to enter this Order, furnish
5 copies to counsel, and **CLOSE** the file.

6 **DATED** this 5th day of September, 2012.

7 *s/ Thomas O. Rice*

8 THOMAS O. RICE
9 United States District Judge